

Item #58

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0011

Z.A.P. DATE: March 7, 2006

ADDRESS: 13208 Dessau Road

OWNER/APPLICANT: Glenn H. Schmidt

AGENT: T-Mobile Texas, L.P. (Alyse Krekel)

ZONING FROM: DR

TO: SF-6-CO*

AREA: 8.709 acres
(16,139 square feet)

* The applicant has proposed a conditional overlay to limit development on the site to SF-1, Single-Family Residence-Large Lot District, density regulations and to limit development on the site to less than 2,000 vehicle trips per day.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the applicant's request for SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay District, zoning.

ZONING AND PLATTING COMMISSION:

3/07/06: Approved staff's recommendation of SF-6-CO zoning by consent (9-0); J. Martinez-1st, J. Pinnelli-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed as a ranch/farm with a single-family residence, a barn, and shed structures. The applicant is requesting to rezone the site to construct a telecommunications tower on a portion of this tract of land. The SF-6 zoning district is the most restrictive district in which a monopole tower is allowed by the City's Land Development Code. Although the SF-6 zoning district allows for townhomes, condominiums, duplexes and single family residences, the property owner does not propose to develop any new residential development on the property at this time.

The maximum tower height is determined by the distance in feet to an SF-5 or more restrictive district. In this case, the maximum tower height would be 250 feet, as measured from the existing single-family residence on the site and from the SF-2, Single Family Residence district zoning located adjacent to the west of the rezoning area. In addition, the location of the tower on the subject property is limited by the application of a 200 foot setback from the SF-2 zoning to the west [LDC, 25-2-839 (F)(1) and (F)(2)] and a 300 foot setback from the property that is zoned as DR-H (historic landmark district designation to the north [LDC, 25-2-839 (E)(1)(a)]]. The church use to the north and elementary school use to the south does not trigger the application of setbacks, as required by SF-5 or more restrictive zoning or use, according to LDC, 25-2-839 (I)(2 & 5).

For Information:

A Telecommunication tower use is allowed in all zoning districts with the exception of DR provided it: 1) replaces a functioning tower or utility pole, 2) does not exceed the original height of the tower or pole, 3) does not obstruct public access, and 4) is similar in appearance and function to the tower or pole [LDC 25-2-839 (D)]. The property owner is unable to satisfy the above conditions and therefore, has proceeded with an application for SF-6 zoning. SF-6 or less restrictive district zoning must be in place prior to Zoning and Platting Commission consideration of a Conditional Use Permit for the proposed telecommunications tower [LDC, 25-2-839 (G)(1) and (G)(2)].

The staff recommends the applicant's request for SF-6-CO district zoning because the property meets the purpose statement of the Townhouse & Condominium Residence District as it takes access onto a major arterial roadway, Dessau Road. The site is located adjacent to residential zoning to the north and west and office zoning to the north and south. The proposed SF-6-CO zoning will allow for a transition in uses from Dessau Road to the SF-2, single family residences to the west.

The applicant agrees with staff's recommendation.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|----------------------|---|
| <i>Site</i> | DR | Ranch/Farm Land with a Single-Family Residence, Barn, and Shed Structures |
| <i>North</i> | MF-2-CO, DR-H, LO-CO | Undeveloped Tract, Fellowship Hall/Historic Church, Cemetery |
| <i>South</i> | DR, LO-CO, LR-CO | Elementary School, Undeveloped Tracts |
| <i>East</i> | County | Vacant House, Undeveloped Land, Automotive Transmission Shop, Office/ Warehouse Use |
| <i>West</i> | SF-2 | Single-Family Residential Neighborhood |

AREA STUDY: N/A

TIA: Not required

WATERSHED: Harris Branch

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- 64 - River Oaks Lakes Estates Neighborhood
- 114 - North Growth Corridor Alliance
- 643 - North East Action Group
- 756 - Harris Ridge Phase IV

SCHOOLS:

- Copperfield Elementary School
- Pflugerville Middle School
- Dobie Middle School
- Lanier High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--------------|------------------------------|---|--|
| C14-04-0056 | I-RR to CS, MF-3, SF-6, SF-2 | 11/02/04: Approved staff's recommendation of SF-2-CO, SF-6, MF-3, LR, LR-MU, GR, GR-MU zoning by consent (9-0) | 12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU on all 3 readings (7-0) |
| C14-04-0127 | GR-CO to GR | 10/19/04: Approved staff's recommendation of GR-CO zoning by consent (9-0), with CO to prohibit Adult Oriented Business uses and a public restrictive covenant to encompass the TIA recommendations | 11/18/04: Granted GR-CO (7-0); all 3 readings |
| C14-03-0001 | DR to LO | 1/28/03: Approved staff's recommendation of LO-CO zoning, w/2,000 trip limit (8-0, J. Donisi-absent) | 2/27/03: Granted LO-CO on all 3 (6-0, Goodman-out of room) |
| C14-00-2101 | DR to CS | 8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0) | 9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings |
| C14H-00-0005 | DR to DR-H | 9/12/00: Approved staff rec. by consent (6-0) | 10/5/00: approved DR-H (5-0); all 3 readings |
| C14-98-0258 | DR to MF-2 | 10/26/99: Approved staff rec. of MF-2-CO, w/ 400 unit limit. by consent (8-0, BH-off dias) | 12/2/99: Approved PC rec. of MF-2-CO w/ conditions (6-0, WL-absent); 1 st reading 1/27/00: Approved 2 nd /3 rd readings by consent (6-0) |
| C14-98-0257 | DR to GR | 10/26/99: Approved staff rec. of LO-CO (TR 1, 2, 3) & GR (TR 4 & TR5) by consent (8-0, BH-off dias) | 12/2/99: Approved PC rec. of LO (TR1), LO-CO (TR 2 & 3) w/ conditions, and GR (TR 4 & 5) (6-0, WL-absent); 1 st reading 1/27/00: Approved 2 nd /3 rd readings by consent (6-0) |
| C14-98-0126 | DR to GR | 9/29/98: Approved LR-CO w/ conditions that uses limited to 'NO' uses (9-0) | 11/5/98: Approved PC rec. of LR-CO (TRA) & LO-CO (TRB) w/ conditions (6-0); all 3 readings |
| C14-97-0126 | DR to GR | 12/9/97: Approved GR-CO w/ conditions (5-3) | 2/5/98: Approved PC rec. of GR-CO w/ new conditions (5-0); 1 st reading 4/9/98: Approved GR-CO w/ conditions (7-0); 2 nd / 3 rd readings |

RELATED CASES: N/A

ABUTTING STREETS:

| NAME | ROW | PAVMENT | CLASSIFICATION | DAILY TRAFFIC |
|-------------|------|---------|----------------|---------------|
| Dessau Road | 120' | 2@30' | Major Arterial | N/A |

CITY COUNCIL DATE: April 6, 2006

ACTION:

ORDINANCE READINGS: 1st

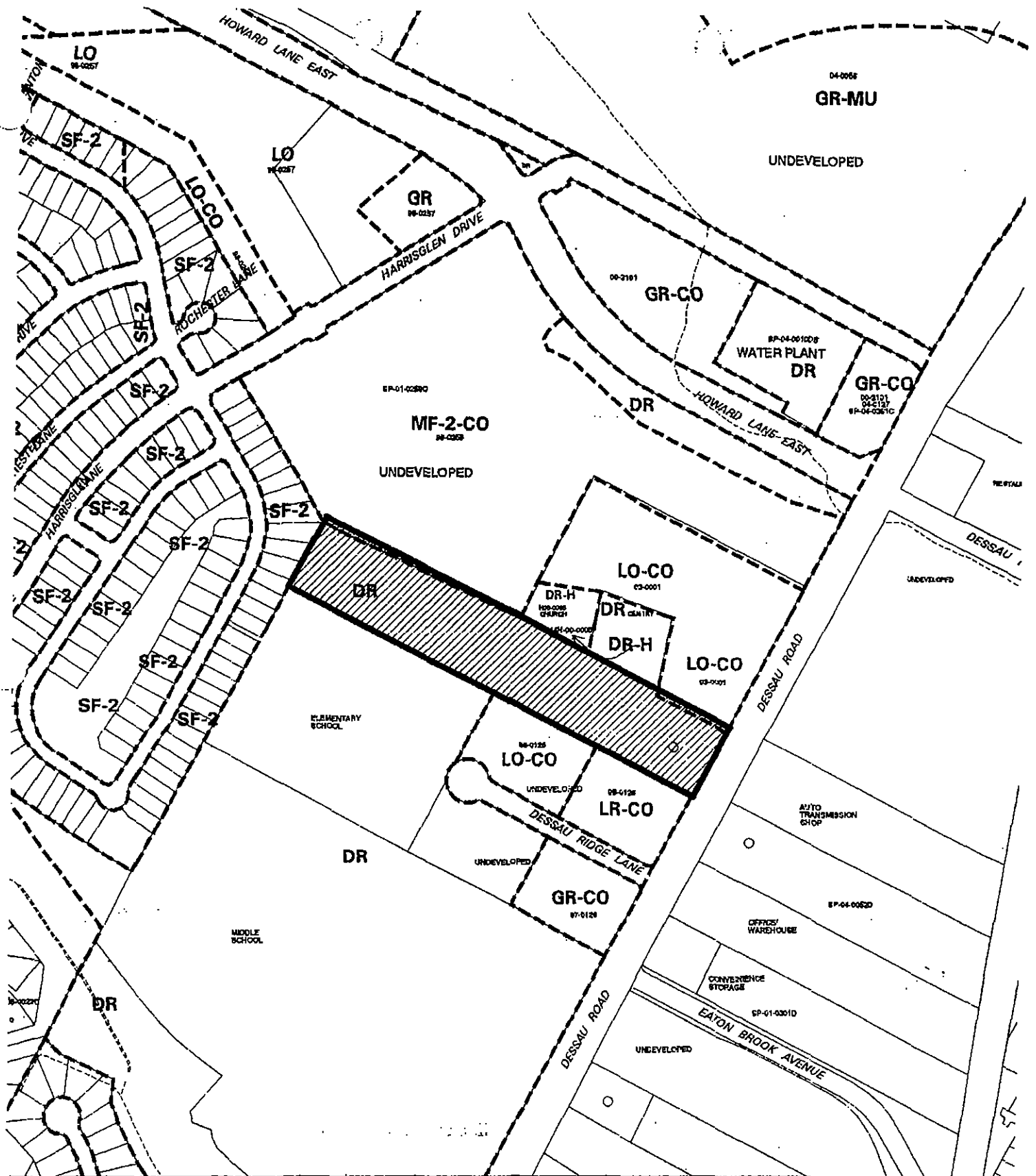
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



| | | | | |
|---------------|---|---|---|--|
| 1" = 400' | SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S.SIRWAITIS | CASE #: C14-06-0011 ADDRESS: 13208 DESSAU RD SUBJECT AREA (acres): 8.709 | ZONING DATE: 06-01 INTLS: SM | CITY GRID REFERENCE NUMBER P33 |
|---------------|---|---|---|--|

STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay District, zoning.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

The site under consideration meets the purpose statement of the SF-6 district because the property fronts onto a major arterial roadway, Dessau Road, and is located adjacent to existing MF-2-CO and SF-2 zoning.

2. *The proposed zoning should promote consistency, and orderly planning.*

The proposed zoning will allow for a transition in uses from Dessau Road to the SF-2, single family residences to the west. The site is located adjacent to residential zoning (MF-2-CO) to the north and (SF-2) west and office (LO-CO) zoning to the north and south.

3. *Zoning should allow for reasonable use of the property.*

The proposed zoning will allow the applicant to maintain a single-family residence on the site while adding a telecommunications tower to serve the surrounding areas on a portion of this 8.709 acre tract of land.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed as a ranch/or farm. The property contains a single-family residence, a barn, and shed structures. The remainder of the property to the west is a grassy undeveloped area.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 55%, MF-3 zoning district would be 65%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| Development Classification | % of Net Site Area | % with Transfers |
|--|--------------------|------------------|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Harris Branch Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 757 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

| NAME | ROW | PAVEMENT | CLASSIFICATION | SIDEWALKS | CAPITAL METRO | BICYCLE PLAN |
|----------------|------|----------|----------------|-----------|------------------|-----------------|
| Dessau Road | 120' | Varies | Major Arterial | No | No | No |

Water and Wastewater

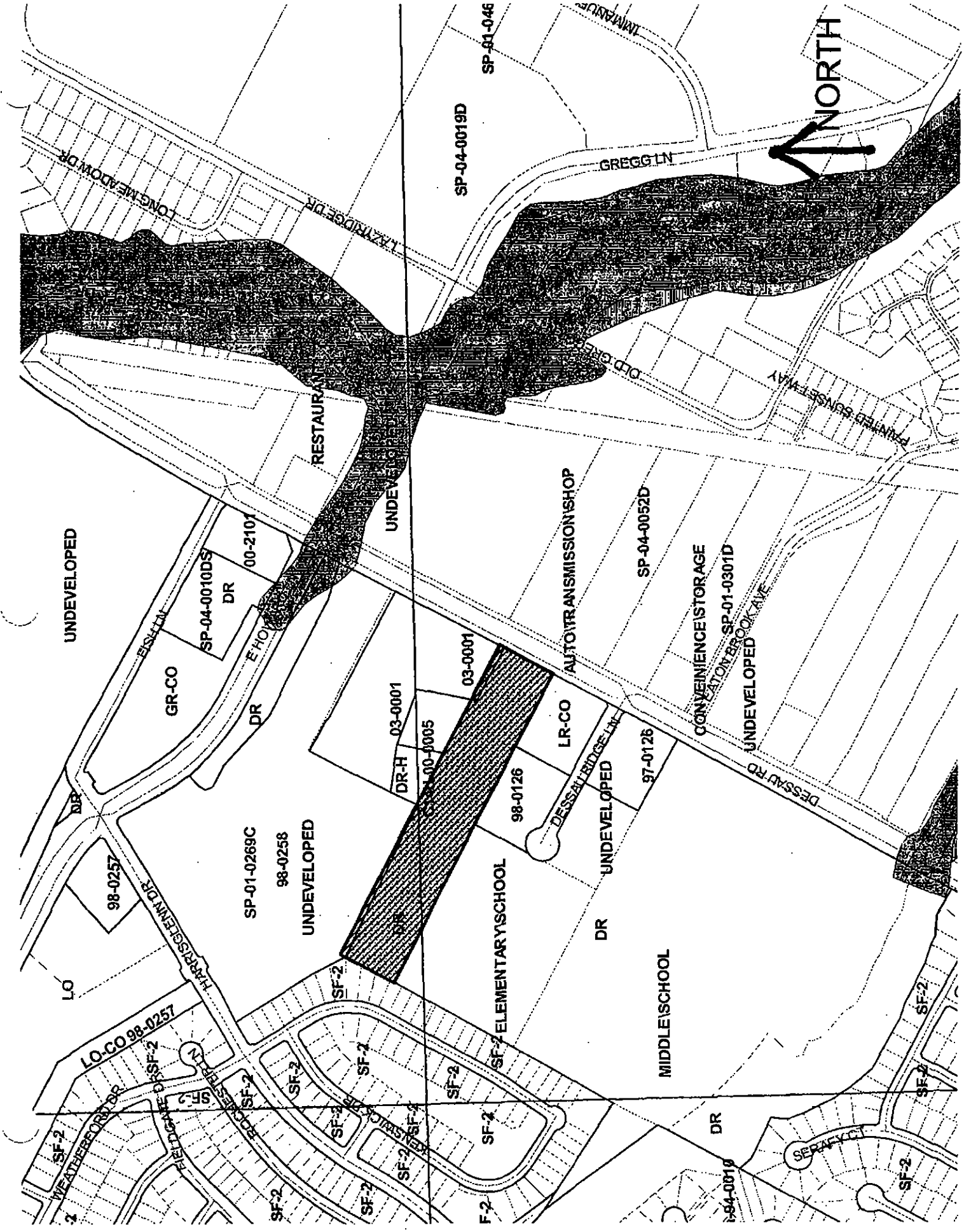
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and adjustments. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Compatibility Standards

No comments.



NORTH

UNDEVELOPED

RESTAURANT

F-2 ELEMENTARY SCHOOL

MIDDLE SCHOOL

CONVENIENCE STORAGE

AUTO TRANSMISSION SHOP

UNDEVELOPED

UNDEVELOPED

SP-04-0019D

SP-01-046

SP-04-0052D

SP-01-0301D

98-0257

SP-01-0269C

98-0258

UNDEVELOPED

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ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 13208 DESSAU ROAD FROM DEVELOPMENT**
3 **RESERVE (DR) DISTRICT TO TOWNHOUSE AND CONDOMINIUM**
4 **RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from development reserve (DR) district to townhouse and
10 condominium residence-conditional overlay (SF-6-CO) combining district on the property
11 described in Zoning Case No. C14-06-0011, on file at the Neighborhood Planning and
12 Zoning Department, as follows:

13
14 An 8.709 acre tract of land, more or less, out of the Memucan Hunt Survey No. 88,
15 Abstract No. 397, Travis County, the tract of land being more particularly
16 described by metes and bounds in Exhibit "A" incorporated into this ordinance (the
17 "Property"),

18 locally known as 13208 Dessau Road, in the City of Austin, Travis County, Texas, and
19 generally identified in the map attached as Exhibit "B".

20
21
22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:

24
25 A site plan or building permit for the Property may not be approved, released, or
26 issued, if the completed development or uses of the Property, considered cumulatively with
27 all existing or previously authorized development and uses, generate traffic that exceeds
28 2,000 trips per day.

29
30 Except as specifically restricted under this ordinance, the Property may be developed and
31 used in accordance with the regulations established for the townhouse and condominium
32 residence (SF-6) base district and other applicable requirements of the City Code.

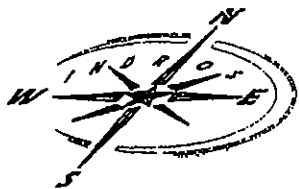
1 **PART 3.** This ordinance takes effect on _____, 2006.
2
3

4 **PASSED AND APPROVED**
5

6 §
7 §
8 _____, 2006 § _____
9

10 Will Wynn
11 Mayor
12

13 **APPROVED:** _____ **ATTEST:** _____
14 David Allan Smith Shirley A. Gentry
15 City Attorney City Clerk



Windros and Services Austin Ltd

4120 Commercial Center Dr., Suite 300

Austin, Texas 78744

Phone (512) 326-2100 Fax (512) 326-2770

EXHIBIT A

Professional Surveying and Engineering Services

LEGAL DESCRIPTION

BEING A TRACT OR PARCEL OF LAND CONTAINING 8.709 ACRES (379,369 SQ. FT.) OUT OF AND A PART OF A TRACT ON THE WATERS OF GILLELAND CREEK, SITUATED IN THE MEMUCAN HUNT SURVEY NO. 88, ABSTRACT NO. 397, TRAVIS COUNTY, TEXAS, AS CONVEYED TO EDDIE NAUERT BY DEED RECORDED IN VOLUME 383, PAGE 289, T.C.D.R. SAID 8.709 ACRE TRACT BEING THAT SAME CALLED 8 5/7 ACRE TRACT OF LAND CONVEYED TO GLENN H. SCHMIDT AND WIFE, RUBY M. SCHMIDT BY DEED RECORDED IN VOLUME 3108, PG. 961, T.C.D.R. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2" IRON ROD FOUND LYING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF DESSAU ROAD (VARYING R.O.W.), MARKING THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST EASTERLY CORNER OF LOT 5, OF TOM BOMBADIL SUBDIVISION II, AS RECORDED IN VOLUME 87, PAGE 92D, T.C.P.R., FROM WHICH CORNER A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID DESSAU ROAD AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF DESSAU RIDGE LANE (70' R.O.W.) BEARS SOUTH 27°49'31" WEST, A DISTANCE OF 244.55';

THENCE ALONG THE NORTHEASTERLY LINE OF SAID TOM BOMBADIL SUBDIVISION II, NORTH 62°32'13" WEST, A DISTANCE OF 1474.38' TO A 1/2" IRON ROD FOUND MARKING THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST NORTHERLY CORNER OF LOT 3, OF SAID TOM BOMBADIL SUBDIVISION II, ALSO BEING AN ANGLE POINT IN THE SOUTHEASTERLY LINE OF LOT 30, BLOCK "B", HARRIS RIDGE, PHASE 2, SECTION 1, AS RECORDED IN VOLUME 94, PAGE 218, T.C.P.R.;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID HARRIS RIDGE, PHASE 2, SECTION 1, NORTH 28°11'23" EAST, A DISTANCE OF 253.66' TO A PUNCH HOLE FOUND IN STONE MARKING THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST EASTERLY CORNER OF LOT 33, BLOCK "B", OF SAID HARRIS RIDGE, PHASE 2, SECTION 1, ALSO BEING AN ANGLE POINT IN THE SOUTHWESTERLY LINE OF A CALLED 24.270 ACRE TRACT, AS CONVEYED TO CONTINENTAL 134 FUND LIMITED PARTNERSHIP BY DEED RECORDED IN DOCUMENT NO. 2001121162, T.C.O.P.R.;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID 24.270 ACRE TRACT, SOUTH 63°08'53" EAST, A DISTANCE OF 703.08' TO A CAPPED 1/2" IRON ROD SET, MARKING AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING AN EXTERIOR CORNER OF SAID 24.270 ACRE TRACT, ALSO BEING THE MOST WESTERLY CORNER OF A CALLED 0.933 ACRE TRACT, AS CONVEYED TO DESSAU LUTHERAN CEMETERY ASSOCIATION BY DEED RECORDED IN DOCUMENT NO. 2001116860, T.C.O.P.R.;

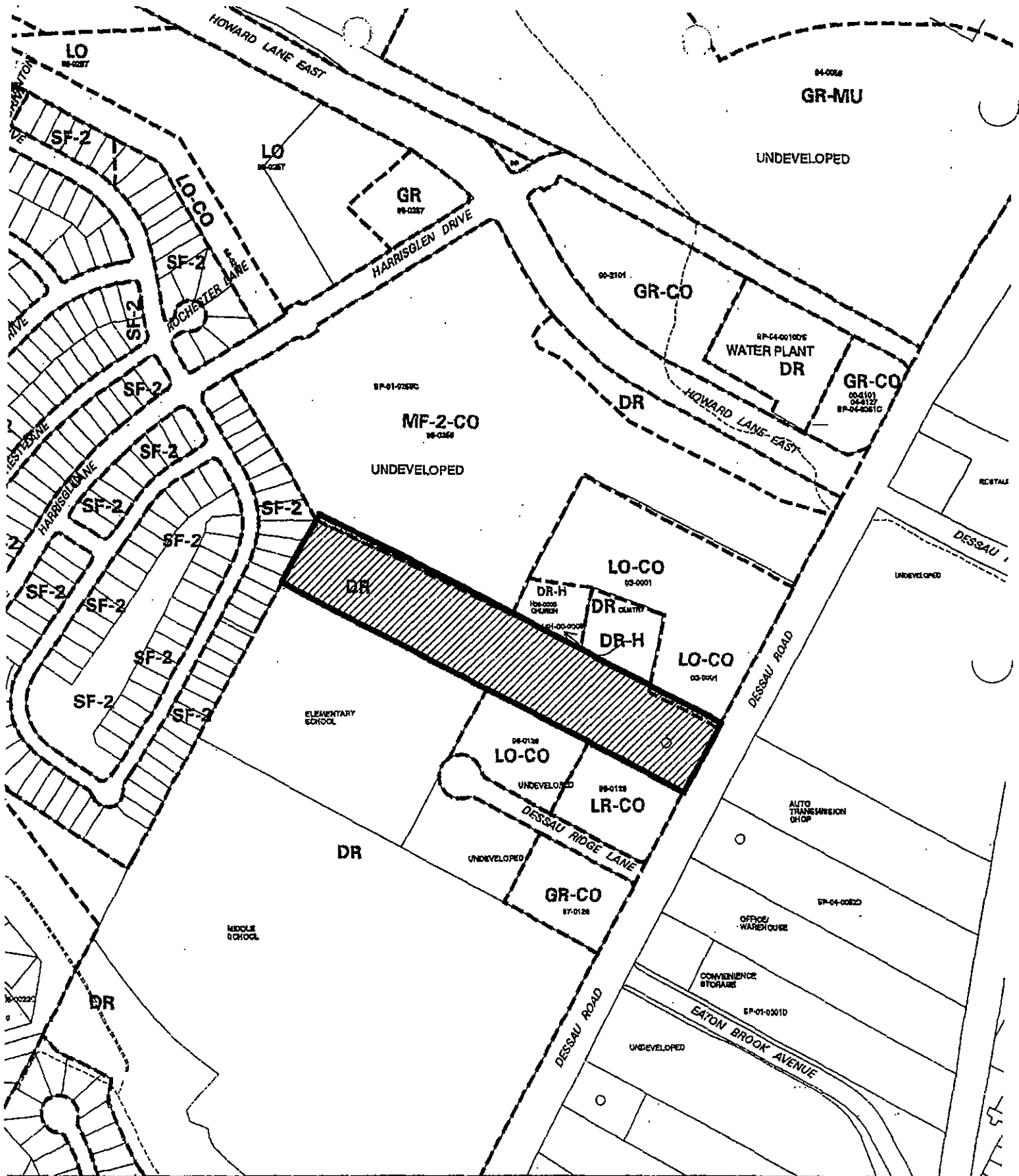
THENCE ALONG THE SOUTHWESTERLY LINE OF SAID 0.933 ACRE TRACT, THE SOUTHWESTERLY LINE OF A CALLED 1.370 ACRE TRACT CONVEYED TO DESSAU LUTHERAN CEMETERY ASSOCIATION BY DEED RECORDED IN VOLUME 5857, PAGE 778, T.C.D.R. AND THE SOUTHWESTERLY LINE OF A CALLED 6.941 ACRE TRACT CONVEYED TO CORNERSTONE BAPTIST CHURCH BY DEED RECORDED IN DOCUMENT NO. 2001117933, T.C.O.P.R., SOUTH 61°59'51" EAST, A DISTANCE OF 769.71' TO A CAPPED 1/2" IRON ROD SET LYING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID DESSAU ROAD, MARKING THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST SOUTHERLY CORNER OF SAID 6.941 ACRE TRACT;





THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID DESSAU ROAD, SOUTH 27°48'54" WEST, A DISTANCE OF 253.90' TO THE PLACE OF BEGINNING AND CONTAINING 8.709 ACRES (379,369 SQ. FT.) OF LAND.

ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NAD83).

RONNIE WILLIS, R.P.L.S. NO. 5462
JANUARY 20, 2006
JOB NO. 13826WC





| | | | |
|--|--|---|--|
|  1" = 400' | <p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: S.SIRWAITIS</p> | <p align="center">ZONING EXHIBIT B</p> <p>CASE #: C14-06-0011</p> <p>ADDRESS: 13208 DESSAU RD</p> <p>SUBJECT AREA (acres): 8.709</p> <p>DATE: 08-01</p> <p>INTLS: SM</p> | <p>CITY GRID REFERENCE NUMBER</p> <p>P33</p> |
|--|--|---|--|